

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

MAR 3 2008

ENF-RC

DeLinda J. Tobar
Paralegal/Commercial Escrow Assistant to
Joycelyn Armstrong, Commercial Escrow Officer
Chicago Title Insurance Company
2001 Bryan Street, Suite 1700
Dallas, TX 75201

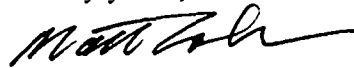
Re: Release of Federal CERCLA Lien

Dear Ms. Tobar:

Enclosed please find the Release of the Federal CERCLA lien on certain LaQuinta Inn property located in Salt Lake City, Utah. We are sending you this document for recording at the request of Alexandra Callam, the attorney for La Quinta Inns. If this form is not satisfactory, please contact me at 303-312-6853 so that we can make such corrections as you may deem necessary.

We would appreciate it if you could send us a copy of the release after recording showing the recording information.

Sincerely yours,



Matthew Cohn, Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance,
and Environmental Justice
U.S. EPA, Region 8

Enclosures

cc: acallam@haslaw.com
Ellison Stollenwerck
Director of Real Estate, Acquisitions & Development
909 Hidden Ridge, Suite 600

RECORDING REQUESTED BY:)
)
THE UNITED STATES ENVIRONMENTAL)
PROTECTION AGENCY, REGION 8)
)
AND WHEN RECORDED, PLEASE MAIL TO:)
)
KELCEY LAND)
U.S. ENVIRONMENTAL PROTECTION AGENCY)
TECHNICAL ENFORCEMENT PROGRAM)
MAIL CODE ENF-RC)
1595 WYNKOOP STREET)
DENVER, COLORADO 80202-1129)
)
)
_____)

RELEASE OF FEDERAL CERCLA LIEN

IN CONSIDERATION of FOUR HUNDRED FORTY ONE THOUSAND AND NO/100 DOLLARS (\$441,000.00) and other and valuable consideration, the adequacy, sufficiency, and receipt of which is hereby acknowledged, the United States of America and the United States Environmental Protection Agency do hereby release that certain CERCLA LIEN PURSUANT TO 42 U.S.C. Section 9607 (l) as evidenced by that certain NOTICE OF FEDERAL LIEN recorded October 25, 2006 at Entry No. 9887808, Book 9370, Page 7864-7874 in the records of the Clerk and Recorder of the County of Salt Lake,, State of Utah and, further, quit claims any right, title or interest in and to the following described property situate in the County of Salt Lake, State of Utah, to wit:

SEE LEGAL DESCRIPTIONS AS SET FORTH ON EXHIBIT "A" (General Warranty Deed recorded July 7, 1998 at Reception No. 709733) **AND EXHIBIT "B"** (Special Warranty Deed recorded May 11, 1998 at Reception No. 6959257) **WHICH ARE INCORPORATED HEREIN BY REFERENCE AND MADE AT PART HEREOF**
(PARCEL ID NUMBER FOR BOTH EXHIBITS IS 1501129026000)

IN WITNESS THEREOF, the United States has caused this instrument to be executed through the United States Environmental Protection Agency, and its Assistant Regional Administrator for the Office of Enforcement, Compliance, and Environmental Justice, acting in her official capacity for the United States Environmental Protection Agency, Region 8. The Assistant Regional Administrator has further delegated this authority to the Director and Supervisory Attorney of the Technical and Legal Enforcement Programs, respectively.

Dated at Denver, Colorado, this 26th day of February, 2008.

UNITED STATES OF AMERICA

and

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

United States of America)
State of Colorado)ss
City and County of Denver)

By: Sharon L. Kercher
Sharon L. Kercher, Director
Technical Enforcement Program
Office of Enforcement, Compliance,
and Environmental Justice
U.S. EPA, Region 8

By: Matthew Cohn
Matthew Cohn, Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance,
and Environmental Justice
U.S. EPA, Region 8

On this 26th day of February, 2008, there appeared personally before me Sharon L. Kercher and Matthew Cohn known to me to be the Director of the Technical Enforcement Program and Supervisory Attorney, Legal Enforcement Program, for the Office of Enforcement, Compliance, and Environmental Justice of the United States Environmental Protection Agency, Region 8, and they acknowledged that they signed the foregoing RELEASE OF FEDERAL CERCLA LIEN in a representative capacity as the free and voluntary act and deed of the United States and its said Agency for the uses and purposes therein mentioned. GIVEN under my hand and official seal the day and year first stated above.

Jaqueline Easley

In and for the State of Colorado.
1595 Wynkop Street
Denver, Colorado 80202-1129

NOTARY PUBLIC

My commission expires 9/30/2011

EXHIBIT "A"

TW 18768

Mail Tax Notice to:

La Quinta Inns, Inc.

La Quinta #176 P.O. Box 2636 Property Tax
San Antonio, TX 78299-2636

7019733
07/07/98 4:05 PM 14.00
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
TITLE WEST
REC BY: V VEGA DEPUTY - WI

GENERAL WARRANTY DEED

Michele E. Scott, Robert F. Edwards, Jr., Kathryn Edwards-Repka, now known as Kathryn Edwards Robison, and Kerry Edwards (collectively, "GRANTOR") with a mailing address of c/o Robert F. Edwards, 1565 Adrian Road, Burlingame, CA 94010 hereby CONVEY and WARRANT to La Quinta Inns, Inc., a Texas Corporation ("GRANTEE"), with a mailing address of 112 East Pecan Street, Suite 200, San Antonio, TX 78205; for the sum of Ten Dollars and other good and valuable consideration, the following described tract(s) of land in Salt Lake County, State of Utah:

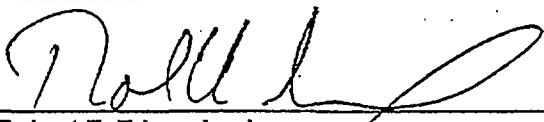
Beginning at a point 243.52 feet North 89 degrees 58'21" East and 67.44 feet South 00 degrees 01'39" East and 485.28 feet North 89 degrees 58'20" East from the Salt Lake City Survey Monument found at the intersection of 100 South and 400 West Streets, said point being the Northeast Corner of Lot 8, Block 66, Plat A, Salt Lake City Survey, and running thence South 00 degrees 03'19" East 173.25 feet; thence South 89 degrees 58'20" West 165.00 feet; thence North 00 degrees 03'19" West 8.25 feet; thence South 89 degrees 58'20" West 82.5 feet; thence North 00 degrees 03'19" West 165.00 feet; thence North 89 degrees 58'20" East 247.50 feet to the point of beginning, and being the same property conveyed to Michele E. Scott, Robert F. Edwards, Jr., Kathryn Edwards-Repka, and Kerry Edwards, an undivided twenty-five percent (25%) interest each as tenants in common, by Special Warranty Deed recorded March 7, 1991 as Entry No. 5035592 in Book 6296 at Page 120.

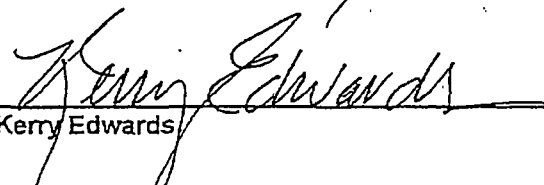
Sidwell No.: 15-01-203-001

TOGETHER WITH (a) Grantor's right, title and interest in all adjacent streets, alleys, rights of way and any adjacent strips of real estate; (b) all easements and right of way appurtenant to or benefiting such parcel; (c) all water rights, ditch rights and interest or shares in water or irrigation companies used in connection therewith; (d) all utility hook-ups and connections relating thereto; and (e) all permits, approvals and development rights associated herewith

SUBJECT TO the exceptions and matters set forth on Exhibit "A" attached hereto.

WITNESS the hand of said Grantor this June 30, 1998.


Robert F. Edwards, Jr.


Kerry Edwards

DK8029PG2693

Michele E. Scott
Michele E. Scott

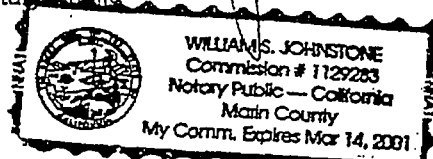
Kathryn Edwards Robison
Kathryn Edwards Repka, now known as Kathryn
Edwards Robison,

State of CALIFORNIA)
County of MARIN) ss.

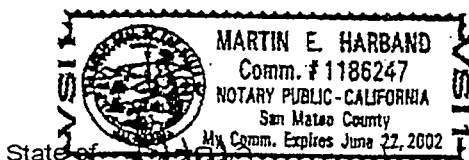
On June 30, 1998 personally appeared before me Michele E. Scott, the signer of the foregoing instrument who duly acknowledged to me that she executed the same.

William J. Johnstone
Notary Public

State of California)
County of San Mateo) ss.



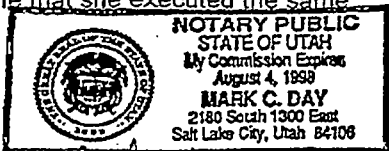
On June 30, 1998 personally appeared before me Robert F. Edwards, Jr., the signer of the foregoing instrument who duly acknowledged to me that he executed the same.



Robert F. Edwards, Jr.
Notary Public

State of Utah)
County of Salt Lake) ss.

On July 6, 1998 personally appeared before me Kathryn Edwards-Repka, now known as Kathryn Edwards Robison, the signer of the foregoing instrument who duly acknowledged to me that she executed the same.



Mark C. Day
Notary Public

State of California)
County of San Mateo) ss.

On June 30, 1998 personally appeared before me Kerry Edwards, the signer of the foregoing instrument who duly acknowledged to me that ~~he/she/they~~ executed the same.



Kerry Edwards
Notary Public

JK8029PG2694

Exhibit "A"

Permitted Exceptions

The land described herein is located within the boundaries of SALT LAKE CITY and is subject to charges and assessments levied thereby.

Notice of Adoption of Redevelopment Plat entitled "C.B.C. NEIGHBORHOOD DEVELOPMENT PLAN" and dated May 1, 1982, recorded November 29, 1984, as Entry No. 4020604, in Book 5609, at Page 1953.

A new Special Assessment for which only a "Notice of Intention" has been recorded:

By SALT LAKE CITY
Purpose CURB AND GUTTER
Recorded October 28, 1997
Entry No. 6774541
Book/Page 7791/2396

A new Special Assessment for which only a "Notice of Intention" has been recorded:

By SALT LAKE CITY
Purpose DOWNTOWN ALLIANCE
Recorded February 19, 1998
Entry No. 6868483
Book/Page 7884/2722

All matters disclosed by that certain survey, dated May 29, 1998, prepared by CRS Consulting Engineers, Inc., under job No. 14263:

- (A) Fence lines do not match the property lines.
- (B) Storm drain and power lines (no record easement).

BK8029PG2695

EXHIBIT "B"

6959257
05/11/98 4:43 PM 17.00
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
ASSOCIATED TITLE
REC BY: R FRESQUES , DEPUTY - WI

WHEN RECORDED, PLEASE RETURN TO:

Ms. Cynthia Stevens
La Quinta Inns, Inc.
P.O. Box 2636
San Antonio, Texas 78299-2636

ATC - D196019

SPECIAL WARRANTY DEED

DAVID E. SALISBURY, STEPHEN D. SWINDLE and JERRY L. BROWN, Trustees of the Van Cott, Bagley, Cornwall & McCarthy Profit-Sharing Trust, Grantor, hereby convey and warrant against all claiming by, through or under them to LA QUINTA INNS, INC., a Texas corporation, with its principal offices located at La Quinta Inn #176, P.O. Box 2636 Property Tax, San Antonio, Texas 78299-2636, Grantee, for the sum of Ten Dollars (\$10.00), and other good and valuable consideration, certain real property located in Salt Lake County, State of Utah, more particularly described as follows:

BEGINNING at a point 10 feet East from the Northwest corner of Lot 6, Block 66, Plat "A", Salt Lake City Survey; thence South 220 feet to North face of concrete foundation wall; thence West along North face of said wall and wall produced 7.7 feet; thence Southerly along the West face of said concrete wall and wall produced 75.95 feet to a point 4 feet North from the North facing of a 13.75 foot outside diameter concrete smokestack; thence West 5.81 feet to a point 4 feet West from the West face of said smokestack; thence South 34.05 feet to South boundary line of Lot 5, said Block 66, thence East 498.51 feet, to the Southeast corner of Lot 8, said Block 66, thence North 156.75 feet, thence West 165 feet, thence North 8.25 feet, thence West 82.5 feet, thence North 165 feet, thence West 237.5 feet to the point of BEGINNING.

LESS AND EXCEPTING THEREFROM that portion conveyed to Utah Power and Light COMPANY, a Utah corporation organized and existing under the laws of the State of Utah as disclosed by that certain Warranty Deed recorded June 25, 1984, as Entry No. 3959294, in Book 5567, at Page 2324, Salt Lake County Recorder's Office, being more particularly described as follows:

BEGINNING at a point which is North 89°58'22" East 10.0 feet and South 00°02'07" East 132.02 feet from the Northwest corner of Lot 6, Block 66, Plat "A", Salt Lake City Survey; said point of beginning also being North 89°58'22" East along the city monument line 243.29 feet and South 0°02'07" East 199.46 feet

BK7973Pg2782

from the city monument at the intersection of 100 South Street and 400 West Street; thence running South 0°02'07" East 88.02 feet; thence South 89°58'22" West 7.70 feet; thence South 0°02'07" East 75.97 feet; thence South 89°58'22" West 5.81 feet; thence South 0°02'07" East 34.06 feet to a point on the south line of said Lot 5, thence North 89°58'22" East along the south line of said Lots 5 and 6, 106.38 feet to a point which is 14.90 feet South, of the Southeast corner of an existing building; thence North 0°25'13" West along the East face of said building line projected, 198.05 feet; thence South 89°58'22" West 91.54 feet to the point of BEGINNING.

Contains 2.27 acres, more or less.

Subject to the following:

- (a) Real estate taxes and assessments for the year 1998 and thereafter.
- (b) Parking Lot Lease dated January 1, 1997, between the Grantor herein, as Lessor, and Ampco System Parking, a California Corporation, as Lessee.
- (c) Effects of that certain instrument entitled "Notice of Adoption of Redevelopment Plan entitled 'C.B.D. Neighborhood Development Plan' and dated May 1, 1982," recorded November 28, 1984, as Entry No. 4020604, in Book 5609, at Page 1953, Salt Lake County Recorder's Office.
- (d) Said property is located within the boundaries of Salt Lake City and is subject to charges and assessments levied thereunder.

(THE FOLLOWING AFFECTS ALL OF THE SUBJECT PROPERTY, TOGETHER WITH OTHER PROPERTY)

- (e) Effects of that certain instrument entitled "Resolution No. 62 of 1997, a resolution to create Salt Lake City, Utah Special Improvement District No. 106007, as described in the Notice of Intention concerning the district and authorizing the City officials to proceed to make improvements as set forth in the Notice of Intention to create the district." Said Resolution No. 62 of 1997 recorded October 28, 1997, as Entry No. 6774541, in Book 7791, at Page 2396.

(THE FOLLOWING AFFECTS ALL OF THE SUBJECT PROPERTY)


- (f) Special Assessment for Downtown Alliance, assessed November 15, 1997, Extension No. 8690-97, Account No. 17864, total amount assessed \$1,589.44, each installment being \$529.81, with a total unpaid principal balance of \$1,059.63, Salt Lake City Treasurer's Office.

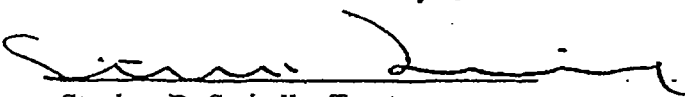
(THE FOLLOWING AFFECTS ALL OF THE SUBJECT PROPERTY)

- (g) Those matters disclosed on that certain survey prepared by CRS Consulting Engineers, Inc. certified under the date of October 7, 1997, by Robert R. Smeltzer, a Registered Land Surveyor holding License No. 4104, as Drawing No. 13946.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed this 7th day of May, 1998.

DAVID E. SALISBURY, STEPHEN
D. SWINDLE and JERRY L. BROWN,
Trustees of the Van Cott, Bagley,
Cornwall & McCarthy Profit-Sharing
Trust


David E. Salisbury, Trustee


Stephen D. Swindle, Trustee


Jerry L. Brown, Trustee

STATE OF UTAH

COUNTY OF SALT LAKE

)
: ss.
)

The foregoing instrument was acknowledged before me this 7th day of May, 1998, by David E. Salisbury, Stephen D. Swindle and Jerry L. Brown.

Carolyn L. Hopkins
NOTARY PUBLIC
Residing at: Salt Lake City, UT

My Commission Expires:

Sept. 30, 2000

